IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 16TH NOVEMBER 2007 / 25TH KARTHIKA 1929

WP(C).No. 12584 of 2004(W)

PETITIONER:

SRI.MANDOOR ALI, S/O.MUHAMMED,
OV'S GARDEN, TALIPARAMBA, KANNUR DISTRICT.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:
---

1. KERALA STATE HOUSING BOARD,
PILATHRA BRANCH, KANNUR DISTRICT,
REP.BY ITS SECRETARY.

2. TAHSILDAR, KANNUR.

R1 BY ADV. SRI.A.JAYASANKAR, SC KSHB, TVM
R2 BY G.P. SMT. SMITHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE AUCTION NOTICE

RESPONDENTS' EXHIBITS: NIL.

TRUE COPY

P.S. TO JUDGE.

C.N. RAMACHANDRAN NAIR, J.

W.P.C. NO.12584 OF 2004

Dated this the 16th day of November, 2007

JUDGMENT

This Writ Petition is filed in 2004 challenging revenue recovery proceedings against attachment and sale of petitioner's house for recovery of arrears of house building advance taken by the petitioner from the Housing Board. Standing counsel for the Housing Board submitted that petitioner subsequently filed another W.P. in 2006 as W.P.C.No. 27149 of 2006 which was also disposed of by this Court. The details of the said W.P. are not available. In any case, petitioner's contention in this W.P. is that his property is of much higher value over the debt amount. If that be so, the Housing Board will grant reasonable time to the petitioner to settle the liability by sale of his house or otherwise, failing which Housing Board will proceed with sale of mortgaged property. If same opportunity was given by earlier judgment, then the direction given above can be ignored by the Housing Board and recovery can be continued.

W.P. is disposed of as above.

(C.N. RAMACHANDRAN NAIR)
Judge